

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, November 30, 2009

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator
Mrs. Ashley Sklarew, Administrative Specialist IV
Mrs. Sandra Rees, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Volt Restaurant and Tasting Room** – Ms. Vahle stated that there was some confusion with the recent changes to the law regarding the corking of bottles of wine. The licensees thought that patrons could bring wine in and uncork the bottles themselves. The Liquor Inspector warned these establishments not to do this again or they would be charged with violating the law.
2. **Josephine's** – Ms. Vahle stated that this licensee will be scheduled for a violation hearing on Monday, January 4, 2009.
3. **Buffalo Wild Wings** – Ms. Vahle stated that this licensee will also be scheduled for a violation hearing on Monday, January 4, 2009.
4. **Frederick Keys** – Ms. Vahle stated that this licensee will be scheduled for a conference.
5. **Hampton Inn** – Ms. Vahle stated that she received a letter from this licensee regarding its request for a waiver.
6. **Comptroller's Office** – Ms. Vahle has requested several times that the Comptroller's Office provide a written statement explaining its position regarding the legality of pouring sake into juice bottles.
7. **Thurmont Sheetz** – The Liquor Inspector and Ms. Vahle are working on the violation charge for sales to a minor. Several false ID's have been confiscated from the same minor.

8. **Issuing Charges and Scheduling Violation Hearings** – Mr. Snyder suggested that the Administrator and the Liquor Inspector be delegated the authority to issue charges of violations of Art. 2B and the Board's Regulations and schedule these charges for a hearing before the Board. If Board involvement is required before a hearing is scheduled, the Board will do a vote by telephone poll. Mr. Cline did not agree and felt that the responsibility should not be delegated. Ms. Vahle advised that other counties allow the Administrator and Attorney to bring the charges. The Board then votes on the charges after holding the hearing. Mrs. Thall was concerned about how decisions would be made on whether to proceed with a violation hearing versus a conference or a warning letter.

MOTION ONE: Mr. Snyder made a motion to give the Administrator and the Liquor Inspector working closely with the Attorney the authority to issue charges for simple violations and then the Board will do a vote by poll when necessary.

SECOND: Mr. McClellan seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. McClellan – Aye
Mr. Cline – Nay

Aye – 2 Nay – 1

(Motion Passed)

9. Decision Required: New License

RE: Michael Vinik, Jenna Bowen &
Veronica Mozzano
for the use of SWH Frederick
Maryland, Inc t/a **Mimi's Café**
5120 Buckeystown Pike
Frederick, Maryland 21704
Class B, On Sale, Beer, Wine & Liquor

The Board held a hearing for a new license. Ms. Vahle swore in the applicants (See attached Sign In Sheet). The pending items are: Fire Marshal approval, Retail Sales tax license, and the background check. The Fire Marshal has inspected and will sign off and the Retail Sales tax license has been ordered. The Liquor Inspector stated they are compliant.

MOTION ONE: Mr. Snyder made a motion for a conditional approval for December 14, 2009.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**

(Motion Passed)

10. Decision Required: Approval of the Public Meeting Minutes for October 19, 2009 and November 9, 2009.

The Public Meeting Minutes of October 19, 2009 and November 9, 2009 were approved.

MOTION: Mr. Snyder made a motion to approve the minutes for October 19, 2009 and November 9, 2009.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline-Aye
Mr. McClellan-Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

ADJOURN

The meeting was adjourned at 9:05 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees